

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

Vantage Financial Services, Inc.  
Plaintiff

v.

Nonprofit Service Group, Inc. and George E.  
Miller  
Defendants

CIVIL ACTION NO. 04-11686-WGY

**MOTION FOR LEAVE TO FILE STIPULATION FOR EXTENSION OF TIME TO  
COMPLETE DEPOSITIONS AND EXPERT DISCLOSURES**

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Pursuant to Fed. R. Civ. P. 29 and Local Rule 26.2(B), the parties request that the Court enter the attached stipulation regarding the sequencing of discovery. (Stipulation for Extension of Time to Complete Depositions and Expert Disclosures, attached hereto as Exhibit "A"). In further support of this motion the parties state as follows:

1. Leave to submit the attached stipulation is necessary in order to complete depositions and expert disclosures. To date, the scheduling of depositions has been stalled by the parties' attempt to resolve certain discovery issues that were the subject of a motion to compel filed by defendants. In light of the Court's April 27, 2005 ruling on that motion, and based on further cooperative discussions between counsel, the parties have reached an agreement with respect to the completion of outstanding discovery in this case.

2. As indicated in the Court's order, plaintiff will provide outstanding discovery to defendants within 30 days of the date of the order. Likewise, defendants will produce any additional, relevant documents within the same 30 day period.

3. Subject to Court approval, the parties have stipulated to conduct depositions beyond the expiration of the April 30, 2005 discovery deadline. As contemplated by the Stipulation, all depositions will be completed by July 30, 2005.

4. The parties have further stipulated that the deadline for expert disclosures be extended to August 1, 2005, and that the deadline for expert rebuttal reports may be extended to August 15, 2005.

5. The proposed amendments to the current schedule will result in more efficient trial preparation without delaying the trial as currently scheduled. Deposition practice on the basis of full and complete written discovery disclosures will enable the parties to narrow and frame the issues to be addressed at trial. Likewise, extending the time for expert disclosures will enable the parties' experts to efficiently prepare their expert reports based on a complete factual record.

6. The parties are committed to proceeding with further discovery on a cooperative basis, and request that the Court endorse their efforts to focus the issue for trial by means of deposition practice and fully informed expert disclosures.

7. This motion and the accompanying stipulation have been signed in counterpart by counsel and their respective clients.

WHEREFORE, the Court should grant the parties leave to stipulate to modified scheduling dates and enter the attached Stipulation for Extension of Time to Complete Depositions and Expert Disclosures on the Court's docket.

Respectfully submitted,

Vantage Financial Services, Inc.  
By its attorneys

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Laurence M. Johnson BBO No. 252720  
Neal J. Bingham BBO No. 652029  
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One Boston Place  
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(617) 367-2500

Vantage Financial Services, Inc.

By: \_\_\_\_\_

Respectfully submitted,

Nonprofit Service Group, Inc.  
and George E. Miller,  
By their attorneys,

\_\_\_\_\_  
Richard L. Nahigian BBO No. 549096  
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Boston, MA 02110  
(617) 951-2100

x George E. Miller  
George E. Miller, Individually

Nonprofit Service Group, Inc.  
By:

x George E. Miller  
George E. Miller, President

**LOCAL RULE 7.1 CERTIFICATION**

The undersigned hereby certifies that counsel have conferred in good faith concerning the issues presented by this motion.

/s/ Richard L. Nahigian  
Richard L. Nahigian

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Respectfully submitted,

Vantage Financial Services, Inc.  
By its attorneys



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Nonprofit Service Group, Inc.  
By:

George E. Miller, President

**LOCAL RULE 7.1 CERTIFICATION**

The undersigned hereby certifies that counsel have conferred in good faith concerning the issues presented by this motion.

/s/ Richard L. Nahigian  
Richard L. Nahigian

**EXHIBT A**

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FOR THE  
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Plaintiff

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CIVIL ACTION NO. 04-11686-WGY

**STIPULATION FOR EXTENSION OF TIME TO COMPLETE DEPOSITIONS AND  
EXPERT DISCLOSURES**

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Pursuant to Fed. R. Civ. P. 29, the parties hereby stipulate to the following modifications of the current agreed-to-scheduling deadlines:

1. In accordance with the Court's Order on defendants' motion to compel, plaintiffs will produce the ordered discovery within thirty (30) days of the date of the Order. Defendants will produce any additional, relevant document within the same thirty-day period.

2. The parties stipulate that depositions may be taken beyond the current April 30, 2005 discovery deadline.

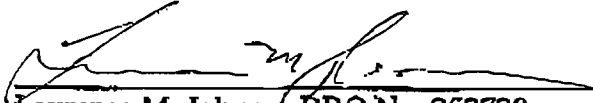
3. The parties stipulate that all depositions shall be completed prior to July 30, 2005.

4. The parties stipulate that the deadline for expert disclosures shall be extended to August 1, 2005.

5. The parties stipulate that the deadline for expert rebuttal reports shall be extended to August 15, 2005.

Respectfully submitted,

Vantage Financial Services, Inc.  
By its attorneys



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Vantage Financial Services, Inc.

By: \_\_\_\_\_

Dated: 4/29/05  
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Respectfully submitted,

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x George E. Miller, President